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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. CR 18-0478 KAW
14 Plaintiff,)	
15 v.)	STIPULATION AND PROPOSED ORDER
16 JONEIL MARASIGAN,)	VACATING GUILTY PLEA AND DISMISSING
17 Defendant.)	INFORMATION.
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19 Plaintiff United States of America, by and through its counsel of record, the United States
20 Attorney for the Northern District of California and Assistant United States Attorney Samantha Schott,
21 and defendant Joneil Marasigan (defendant), by and through his counsel of record, hereby stipulate as
22 follows:

23 1. On or about March 22, 2019, defendant Marasigan pleaded guilty pursuant to a plea
24 agreement to the sole count of the Information, Obstruction of Mail, in violation of 18 U.S.C. § 1701.
25 Defendant Marasigan signed a diversionary plea agreement providing for withdrawal of the guilty plea
26 and dismissal of the charge if defendant successfully completed diversion and satisfied his community
27 service obligation.

28 2. Defendant Marasigan has successfully complied with the terms of the diversion

1 agreement and has satisfied his community service obligations.

2 3. Defendant Marasigan now moves to withdraw his guilty plea to the violation of 18
3 U.S.C. § 1701.

4 4. The government agrees that Defendant Marasigan has successfully completed the terms
5 of the diversion agreement and does not oppose Defendant's application to withdraw his guilty plea.

6 5. Upon the Court's withdrawal of Defendant's guilty plea, the government moves to
7 dismiss the Information against Defendant Joneil Marasigan for the reasons stated above and pursuant to
8 Rule 48(a) of the Federal Rules of Criminal Procedure.

9 DATED: October 7, 2019

Respectfully Submitted,

10 DAVID L. ANDERSON
11 United States Attorney

12 /s/ Samantha Schott
13 SAMANTHA SCHOTT
Assistant United States Attorney

14 /s/ Angela Hansen
15 ANGELA HANSEN
16 Attorney for Joneil Marasigan

17 ~~[PROPOSED]~~ ORDER

18 Good cause appearing, for the reasons stated above, the Court hereby orders that Defendant
19 Joneil Marasigan's guilty plea, entered on March 22, 2019, be WITHDRAWN.

20 Upon withdrawal of Defendant Marasigan's guilty plea, the Court hereby GRANTS the
21 government's motion to dismiss the Information against Defendant Joneil Marasigan pursuant to Rule
22 48(a) of the Federal Rules of Criminal Procedure.

23 The Information against Defendant Joneil Marasigan is hereby DISMISSED.

24 IT IS SO ORDERED.

25
26 DATED: October 15, 2019

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28 THE HONORABLE KANDIS A. WESTMORE
United States Magistrate Judge